

Danner, Ward

From: Scott, Jeff
Sent: Monday, September 21, 2015 11:15 AM
To: Armann, Steve; Danner, Ward
Subject: FW: Malibu: re: Laura Preston: reverse discrimination
Attachments: PastedGraphic-3.png; ATT00001.htm; Letter to SMBoard 2-5-15 PDF.pdf; ATT00002.htm; 1-7-15 TRI SCHOOL CAMPUS MAP JPG.jpg; ATT00003.htm

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From: Blumenfeld, Jared
Sent: Tuesday, February 17, 2015 3:01 PM
To: Mogharabi, Nahal; Zito, Kelly; Scott, Jeff
Subject: Fwd: Malibu: re: Laura Preston: reverse discrimination

Sent from my iPhone

Begin forwarded message:

From: "Jennifer deNicola" <jen@americaunites.com>
To: "Blumenfeld, Jared" <BLUMENFELD.JARED@EPA.GOV>
Cc: "president@whitehouse.gov" <president@whitehouse.gov>, "Scott, Jeff" <Scott.Jeff@epa.gov>, "Huettelman, Tom" <Huettelman.Tom@epa.gov>, "Santos, Carmen" <Santos.Carmen@epa.gov>, "Yael Massry" <ymassry@da.lacounty.gov>, "Jackie Lacey" <JLACEY@DA.LACOUNTY.GOV>, "Ted Lieu" <senator.lieu@senate.ca.gov>, "janet.turner@mail.house.gov" <janet.turner@mail.house.gov>, "tlippman@bos.lacounty.gov" <tlippman@bos.lacounty.gov>, "Beach, John" <Beach.John@epa.gov>, "Fran Pavley" <akpavley@AOL.com>, "Gavin Newsom" <g.newsom67@gmail.com>, "Henry Stern" <henry.stern@sen.ca.gov>, "Senator.Pavley@outreach.senate.ca.gov" <Senator.Pavley@outreach.senate.ca.gov>, "kara.seward@sen.ca.gov" <kara.seward@sen.ca.gov>, "Laura Schiller" <Laura_Schiller@boxer.senate.gov>, "James Peterson" <james.peterson@feinstein.senate.gov>, "sean.macneil@asm.ca.gov" <sean.macneil@asm.ca.gov>, "Armann, Steve" <Armann.Steve@epa.gov>, "Richard.Bloom@asm.ca.gov" <Richard.Bloom@asm.ca.gov>, "Kristin Gillibrand" <invite@gillibrand.senate.gov>, "Hope Edelman" <hopeedelman@gmail.com>, "Bettina Poirier" <Bettina_poirier@epw.senate.gov>, "Grant Cope" <Grant_cope@epw.senate.gov>, "Stanislaus, Mathy" <Stanislaus.Mathy@epa.gov>, "Breen, Barry" <Breen.Barry@epa.gov>, "Matthew Rodriguez" <Matthew.Rodriguez@calepa.ca.gov>, "Stewart Black" <Stewart.Black@dtsc.ca.gov>, "Dan Wright" <dwright@da.lacounty.gov>, "Mark Pletcher"

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Subject: Malibu: re: Laura Preston: reverse discrimination

Dear Mr. Jared Blumenfeld:

Please see below an email sent to you dated August 1st, 2014 from Laura Preston, Legislative Advocate for the Association of California School Administrators, working with SMMUSD Superintendent Sandra Lyon. Here is an excerpt:

"The issue in Malibu is particularly concerning to us since any preferential treatment to the community of Malibu will give the appearance that an affluent largely white community will receive preferential treatment. This can easily become a civil rights issue for all of us."

Malibu happens to be the first school in California where PCBs have been found. Yet the location of the school, the income of the residents, or color of students' skin should not matter. Malibu can and should be made to be the model for responsible removal of PCBs from schools. No one in Malibu expects preferential treatment; we expect PCBs to be removed from Malibu High, Juan Cabrillo and all schools that find PCBs over 50 ppm in the state, just as they are removed from schools in other EPA regions.

Would you please answer the following clarifying questions:

1. Do you believe that TSCA, regarding PCBs removal, should not be enforced in California public schools because enforcing it state-wide, to protect all children, will be too cost prohibitive for the state -- and, therefore, if all children can't be protected then none should be?
2. Have you or anyone from the EPA met or spoken with Laura Preston or any associates of the organizations listed in her email and if so, what was the outcome? Was there any written correspondence? If so, please share it with us all.

The way EPA region 9 is directing SMMUSD to avoid triggering TSCA by not testing source materials is far more expensive than doing proper source testing and remediation from the beginning. If your goal is to prevent the financial burden for schools then you should be directing them to test source materials from the onset. The path that SMMUSD has taken has already cost \$4 million yet not one ounce of PCB-laden caulking has been removed.

Please see the document linked here describing responsible & compliant PCB cleanup approved

by EPA Region 1 for Fairfield, CT. This is just one of many examples of responsible school cleanup. After 1.5 years, it is our hope that EPA region 9 will act swiftly and now follow Region 1's example of thorough and compliant PCB removal by this summer.

<http://archive.fairfieldschools.org/downloads/Osborn%20Hill%20-%20PCB%20Abatement%20Plan%20Approval%20by%20the%20USEPA.pdf>

We look forward to your prompt reply.

Respectfully,

Jennifer deNicola

President of America Unites for Kids

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"Children's right to a great education includes the freedom to learn in an environment that does not jeopardize their health"